



**COUNTY OF LOS ANGELES
DEPARTMENT OF AUDITOR-CONTROLLER**

KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 525
LOS ANGELES, CALIFORNIA 90012-3873
PHONE: (213) 974-8301 FAX: (213) 626-5427

WENDY L. WATANABE
AUDITOR-CONTROLLER

MARIA M. OMS
CHIEF DEPUTY

ASST. AUDITOR-CONTROLLERS

ROBERT A. DAVIS
JOHN NAIMO
JUDI E. THOMAS

August 20, 2009

TO: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

FROM:

Wendy L. Watanabe
Auditor-Controller

SUBJECT: **H.S. CONSORTIUM OF THE EAST SAN GABRIEL VALLEY (dba) LA
WORKS CONTRACT REVIEW – A COMMUNITY AND SENIOR
SERVICES WORKFORCE INVESTMENT ACT PROGRAM PROVIDER –
FISCAL YEAR 2008-09**

We completed a program, fiscal and administrative contract compliance review of H.S. Consortium of the East San Gabriel Valley (dba) LA Works (LA Works or Agency), a Community and Senior Services (CSS) Workforce Investment Act (WIA) Program provider.

Background

CSS contracts with LA Works, a public agency to provide and operate the WIA Adult, Dislocated Worker, Rapid Response and Youth Programs. The WIA Adult and Dislocated Worker Programs assist individuals in obtaining employment, retaining their jobs and increasing their earnings. The WIA Rapid Response Program provides assistance to companies that are facing a reduction in their workforce and assists the soon-to-be dislocated workers in career transitions by providing orientation seminars, workshops and materials. The WIA Youth Program is a comprehensive training and employment program for in-school and out-of-school youth ages 14 to 21 years old. LA Works serves participants residing in the First, Fourth and Fifth Districts.

LA Works is compensated on a cost reimbursement basis and had a contract for \$3,410,159 for Fiscal Year (FY) 2008-09.

Purpose/Methodology

The purpose of our review was to determine whether LA Works complied with its contract terms and appropriately accounted for and spent WIA funds in providing the services outlined in their County contract. We interviewed Agency staff and evaluated the adequacy of the Agency's accounting records, internal controls and compliance with federal, State and County guidelines.

Results of Review

Generally, LA Works provided the required program services to eligible participants and maintained sufficient internal controls over its business operations. However, LA Works billed CSS \$9,959 in questioned costs. Specifically, LA Works billed CSS:

- \$7,182 for unauthorized and excessive out-of-town travel expenditures. LA Works did not obtain prior written approval from CSS for out-of-town travel as required by Part I, Section 9.0 of the County contract. In addition, LA Works' travel reimbursement rates exceeded those of the County. According to Part A, Section 3.2 of the Auditor-Controller Contract Accounting and Administration Handbook, travel reimbursement rates of the contractor shall not exceed the maximum County's travel reimbursement rates.
- \$2,777 for expenditures related to sending participants to the New Mexico education program which is not an allowable expenditure. In April 2008, CSS notified LA Works that any further participation in the New Mexico program would be disallowed.

In addition, LA Works did not always comply with WIA and County contract requirements. For example, LA Works did not:

- Meet all the FY 2008-09 third quarter planned performance outcomes as outlined in the County contract.
- Obtain complete criminal record clearances, which include fingerprinting, for all five employees sampled as required by Part II, Section 27.4 of the County contract.
- Notify CSS that one employee had a criminal record as required by Part II, Section 27.2 of the County contract.

Details of our review, along with recommendations for corrective action, are attached.

Review of Report

We discussed our report with LA Works and CSS. In their attached response, LA Works concurred with our findings and recommendations except they indicated that

there is no action necessary pending the results of their appeal with CSS and the State's response regarding the New Mexico program expenditures. As indicated in our report, CSS notified LA Works in April 2008 that any further participation in the New Mexico program would be disallowed. Despite being notified, LA Works continued to participate in the New Mexico program and continued to bill CSS for the related expenditures.

On June 8, 2009, LA Works agreed to repay CSS for the disallowed costs related to the New Mexico program pending resolution of the appeal hearing. On July 16, 2009, CSS notified LA Works that until the State of California's Employment Development Department provides CSS with a final decision, all related expenditures to the New Mexico program remained disallowed.

Due to the confidential nature of some of the documents provided by LA Works, we did not include all the attachments. We thank LA Works for their cooperation and assistance during this review. Please call me if you have any questions, or your staff may contact Don Chadwick at (213) 253-0301.

WLW:MMO:JET:DC:EB

Attachment

c: William T Fujioka, Chief Executive Officer
Cynthia D. Banks, Director, Community and Senior Services
Salvador Velasquez, Chief Executive Officer, H.S. Consortium of the East San Gabriel Valley (dba) LA Works
Kevin Stapleton, Chairman, H.S. Consortium of the East San Gabriel Valley (dba) LA Works
Public Information Office
Audit Committee

**WORKFORCE INVESTMENT ACT PROGRAM
H.S. CONSORTIUM OF THE EAST SAN GABRIEL VALLEY (dba) LA Works
FISCAL YEAR 2008-09**

ELIGIBILITY

Objective

Determine whether H.S. Consortium of the East San Gabriel Valley (dba) LA Works (LA Works or Agency) provided services to individuals that meet the eligibility requirements of the Workforce Investment Act (WIA) Program.

Verification

We reviewed the case files for 35 (9%) (15 youths, 10 adults and 10 dislocated workers) of the 408 participants that received services from July 2008 through April 2009 for documentation to confirm their eligibility for WIA services.

Results

LA Works maintained appropriate documentation to support the eligibility of the 35 participants sampled.

Recommendation

None.

BILLED SERVICES/CLIENT VERIFICATION

Objective

Determine whether the Agency provided the services in accordance with the County contract and WIA guidelines. In addition, determine whether the participants received the billed services.

Verification

We reviewed the documentation contained in the case files for 35 (9%) participants that received services during July 2008 through April 2009.

Results

Generally, LA Works provided the services in accordance with the County contract and WIA guidelines.

Recommendation

None.

PERFORMANCE OUTCOMES REVIEW**Objective**

Determine whether the Agency met the planned performance outcomes as outlined in the County contract. The performance outcomes included measuring the number of participants that enrolled in the program, exited the program, completed training and/or gained employment.

Verification

We compared the Agency's Fiscal Year (FY) 2008-09 actual performance outcomes for the third quarter to the planned performance outcomes outlined in the County contract.

Results

LA Works did not meet all the FY 2008-09 third quarter planned performance outcomes as outlined in the County contract. Specifically:

FY 2008-09 3RD QUARTER PERFORMANCE OUTCOMES												
WIA Programs	New Enrollments			Trained			Exits			Placements		
	Planned	Actual	% Enrolled	Planned	Actual	% Trained	Planned	Actual	% Exited	Planned	Actual	% Placed
Adult	79	63	79.7%	9	1	11.1%	MET PLANNED PERFORMANCE OUTCOMES			MET PLANNED PERFORMANCE OUTCOMES		
Dislocated Worker	123	67	54.5%	11	0	0.0%	99	77	77.8%	MET PLANNED PERFORMANCE OUTCOMES		
Youth	MET PLANNED PERFORMANCE OUTCOMES			MET PLANNED PERFORMANCE OUTCOMES			47	24	51.1%	MET PLANNED PERFORMANCE OUTCOMES		

Recommendation

1. LA Works management ensure that planned performance outcomes are met as required by the County contract.

CASH/REVENUE**Objective**

Determine whether cash receipts and revenue are properly recorded in the Agency's records and deposited timely in their bank account. In addition, determine whether there are adequate controls over cash, petty cash and other liquid assets.

Verification

We interviewed Agency personnel and reviewed financial records. We also reviewed LA Works' bank activity for January, February and March 2009.

Results

LA Works maintained adequate controls to ensure that revenue was properly recorded and deposited in a timely manner.

Recommendation

None.

COST ALLOCATION PLAN**Objective**

Determine whether LA Works' Cost Allocation Plan was prepared in compliance with the County contract and the Agency used the Plan to appropriately allocate shared program expenditures.

Verification

We reviewed the Cost Allocation Plan and a sample of expenditures incurred by the Agency in July 2008 and February 2009 to ensure that the expenditures were properly allocated to the Agency's programs.

Results

Generally, LA Works' Cost Allocation Plan was prepared in compliance with the County contract and costs were appropriately allocated.

Recommendation

None.

EXPENDITURES/PROCUREMENT**Objective**

Determine whether program related expenditures are allowable under the County contract, properly documented and accurately billed.

Verification

We interviewed Agency personnel, reviewed financial records and reviewed documentation to support 41 non-payroll expenditure transactions billed by the Agency for July 2008 and February 2009, totaling \$94,920.

Results

Generally, LA Works' expenditures are properly documented and accurately billed. However, LA Works billed Community and Senior Services (CSS) \$9,959 in questioned costs. Specifically, LA Works billed CSS:

- \$7,182 for unauthorized out-of-town travel expenditures. LA Works did not obtain prior written approval from CSS for out-of-town travel as required by Part I, Section 9.0 of the County contract. In addition, LA Works' travel reimbursement rates exceeded those of the County. According to Part A, Section 3.2 of the Auditor-Controller Contract Accounting and Administration Handbook, travel reimbursement rates of the contractor shall not exceed the maximum County's travel reimbursement rates.
- \$2,777 for expenditures related to sending participants to the New Mexico education program which is an unallowable expenditure. In April 2008, CSS notified LA Works that any further participation in the New Mexico program would be disallowed.

Recommendations**LA Works management:**

1. Repay CSS \$9,959 (\$7,182 + \$2,777).
2. Ensure that prior written approval is obtained from CSS for all out-of-town travel.
3. Ensure that the travel reimbursement rates do not exceed the maximum County's travel reimbursement rates.
4. Ensure that expenditures charged to the WIA Programs are allowable expenditures.

ADMINISTRATIVE CONTROLS/CONTRACT COMPLIANCE**Objective**

Determine whether the Agency maintained sufficient controls over its business operations. In addition, determine whether the Agency is in compliance with other program and administrative requirements.

Verification

We interviewed Agency personnel, reviewed their policies and procedures manuals, conducted an on-site visit and tested transactions in various non-cash areas such as expenditures, payroll and personnel.

Results

Generally, LA Works maintained sufficient internal controls over its business operations and complied with other program and administrative requirements.

Recommendation

None.

FIXED ASSETS AND EQUIPMENT**Objective**

Determine whether LA Works' fixed assets and equipment purchases made with WIA funds are used for the WIA Programs and are safeguarded.

Verification

We interviewed Agency personnel and reviewed the Agency's fixed assets and equipment inventory listing. In addition, we performed an inventory and reviewed the usage of 11 items purchased with WIA funds, totaling \$19,234.

Results

LA Works used the equipment purchased with WIA funds for the WIA Programs and the assets were safeguarded.

Recommendation

None.

PAYROLL AND PERSONNEL**Objective**

Determine whether payroll expenditures were appropriately charged to the WIA Programs. In addition, determine whether the Agency obtained criminal record clearances, verified employability, and maintained current driver's licenses and proof of automobile insurances for the employees assigned to the WIA Programs.

Verification

We traced the payroll expenditures invoiced for five employees and five participants totaling \$26,710 for February 2009 to the Agency's payroll records and time reports. We also interviewed one staff and reviewed the personnel files for five employees assigned to the WIA Programs.

Results

Generally, LA Works appropriately charged payroll expenditures to the WIA Programs. In addition, LA Works did obtain background clearances for the five employees sampled. However, LA Works did not obtain complete criminal record clearances, which include fingerprinting, for all five employees sampled as required by Part II, Section 27.4 of the County contract. In addition, LA Works did not notify CSS that their background check identified one employee with a criminal record.

Recommendations**LA Works management:**

5. **Ensure that a complete criminal records clearance, which includes fingerprinting, is obtained for all employees.**
6. **Immediately notify CSS of any employees with criminal records as required.**

CLOSE-OUT REVIEW**Objective**

Determine whether the Agency's FY 2007-08 final close-out invoices for the WIA Adult, Dislocated Worker, Rapid Response and Youth Programs reconciled to the Agency's financial accounting records.

Verification

We traced LA Works' FY 2007-08 general ledgers to the Agency's final close-out invoices for FY 2007-08. We also reviewed a sample of expenditures incurred in April, May and June 2008.

Results

LA Works' FY 2007-08 general ledgers reconciled to the Agency's FY 2007-08 final close-out invoices.

Recommendation

None.



July 13, 2009

Salvador B. Velasquez
Chief Executive Officer

Ms. Wendy L. Watanabe, Auditor-Controller
Department of Auditor-Controller
Countywide Contract Monitoring Division
350 S. Figueroa Street, 8th Floor
Los Angeles, CA 90071
Attention: Yoon Bae

RE: FY 2008-09 WIA Program Monitoring

Dear Ms. Watanabe:

This letter is in response to the FY 2008-09 program monitoring recently conducted by your staff.

Issue:

LA Works did not meet all the FY 2008-09 third quarter planned performance outcomes as outlined in the County contract. Specifically, percent enrolled and percent trained for the Adult and Dislocated Worker Programs, and percent exited for the Dislocated Worker and Youth Programs.

LA Works Response:

We will achieve our 2008-09 performance outcomes by the end of the 4th quarter.

5200

Irwindale

Issue:

LA Works billed CSS \$7,182 for unauthorized out-of-town travel expenditures. LA Works did not obtain prior written approval from CSS for out-of-town travel as required by Part I, Section 9.0 of the County contract. In addition, LA Works' travel reimbursement rates exceeded those of the County. According to Part A, Section 3.2 of the Auditor- Controller Contract Accounting and Administration Handbook, travel reimbursement rates of the contractor shall not exceed the maximum County's travel reimbursement rates.

Avenue

Suite 210

Irwindale

CA 91706

LA Works Response:

We did not obtain prior approval for out-of-town travel because the RWG Agreement allows us to travel without advance approval. Per the RWG Agreement, Section 2 (e), page 3 of 11, it states, "notwithstanding any provision herein to the contrary, and subject to applicable laws and regulations, any policy or requirement which is both (1) to be applied to the RWG by action of the WIB, and (2) more restrictive than is required of the County by applicable laws and regulations or required of the RWG by this

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Agreement, shall be applicable to the RWG only if the particular policy or requirement was first approved by at least two-thirds (2/3) of a quorum of the WIB expressly for application to the RWGs. This provision shall not restrict or otherwise prohibit the WIB from carrying out its mandated function under WIA Section 117, with respect to establishment of program policies which are applied throughout the County workforce investment area".

However, to clear this finding, we have retroactively requested approval from CSS. A copy of the letter to CSS is attached. Also attached is a follow-up e-mail sent to CSS 7/10/09 inquiring as to the status of our request. (See Attachment A). In addition, we are in the processing of finalizing policies and procedures to request out-of-town travel and any travel reimbursement rates exceeding the County's maximum travel will not be charged to WIA.

Issue:

LA Works billed CSS \$2,777 for expenditures related to sending participants to the New Mexico prep program. On April 28, 2008, CSS notified LA Works that any further participation in the New Mexico prep program would be disallowed.

LA Works Response:

A letter was sent to Cynthia Banks on May 9, 2008 (See Attachment B) requesting an appeal of the CSS letter dated 4/28/08. We repeatedly followed-up with CSS and it was not until a meeting with CSS Staff on 5/29/09 that Margaret Quinn acknowledged that they had received our request for appeal but did not respond to it. Subsequently, staff met with Jackie Sakane and sent the State a package of materials supporting our on-going participation in the program. On June 22, 2009 we attended an appeals hearing with Margaret Quinn and Robert Brief. A copy of the appeal hearing confirmation letter is attached along with supporting documentation for the continuance of the New Mexico prep program. (See Attachment C).

In addition, per the RWG Agreement, Page 8 of 11, Section 8 Sanctions: It states, "The County or WIB may sanction the RWG for performance which does not fulfill local performance requirements established pursuant to WIA or other related programs, utilizing the same relevant criteria and procedures as WIA or other grant program permits to be applied by the State to the County unacceptable performance or by the WIB and/or County to its service providers; provided that the WIB or County may apply such criteria and procedures within a shorter time period than is applicable for the State, as may reasonably be required to permit the WIB or County to avoid State sanctions. The specific criteria, procedures and timing for sanctions applicable to RWG will be a matter for advance policy consultation among the parties. The RWG may utilize the County's standard administrative appeal procedures or any other available remedy should it reasonably believe that the application of



County or WIB sanctions is improper, and the effective date of such sanctions shall be deferred until completion of those proceedings.

Therefore, we believe there is no action necessary pending the results of our appeal with CSS and the State's response.

Issue:

LA Works did not obtain complete criminal record clearances, which include fingerprinting, for all five employees sampled as required by Part II, Section 27.4 of the County contract.

In addition, LA Works did not notify CSS of the one employee with a criminal record noted during a background check as required by Part II, Section 27.2 of the County contract.

LA Works Response:

Regarding criminal record clearances, this is a much longer process than we initially understood, requiring the involvement of the Department of Justice. We are attaching the timeline and letter to the Bureau of Criminal Information and Analysis (Attachments D and E) to show that we are actively working on resolving this issue. In addition, we have put procedures in place to ensure all staff assigned to a WIA contract will undergo a complete criminal record clearance.

LA Works has notified CSS of the one individual with a misdemeanor to resolve this finding. However, upon again reviewing Section 27.2 we believe this was not necessary. The section states: Contractor shall immediately notify County of any arrest and/or subsequent conviction, other than for minor traffic offenses, of any employee, independent contractor, volunteer staff or Subcontractor who may come in contact with children while providing services under this Contract when such information becomes known to Contractor. The individual with the misdemeanor has no contact with children. See Attachment F for letter to CSS, timeline, and correspondence to Yoon Bae since the individual does not have contact with children.

If you have any questions, please contact Shelly Laddusaw at (626 960-3964, ext. 2246.

Sincerely,

A handwritten signature in black ink, appearing to read 'Salvador R. Velasquez'.

Salvador R. Velasquez
Chief Executive Officer
Attachments

Attachment A



Salvador B. Velasquez
Chief Executive Officer

June 29, 2009

Ms. Josie Marquez
Community & Senior Services
3175 W. Sixth Street
Los Angeles, CA 90020

RE: Approval for Out-of-Town Travel

Dear Josie:

I am respectfully requesting retroactive approval for out-of-town travel as identified below. I did not request approval prior to my travel because I believed, and still do, the RWG Agreement allows us to travel without advance approval. However, the Auditor Controller's Office believes differently and as the 2008-09 program year is coming to an end, we want to clear any potential findings.

Workforce Group Meeting - Washington DC, March 2-6, 2009

Dr. Laurel Adler, Superintendent-East San Gabriel Valley ROP; Kevin Stapleton, LA Works Board Chairman and Council Member-City of Covina and myself met with a number of congressional representatives and aides to discuss WIA reauthorization.

- Adler & Stapleton: Lodging -- \$192.00 plus taxes per day x 3 days x 2 people = \$1,152.00
- Velasquez: Lodging -- \$192.00 plus taxes per day x 5 days = \$960.00
- Velasquez: \$64.00 per diem x 5 days = \$320.00

5200

NAWB Conference - Washington DC, March 7-11, 2009

As you know, this is an extremely important conference to be brought up-to-date on the latest in workforce development issues and the opportunity to meet with lawmakers regarding WIA reauthorization.

- Lodging: \$192.00 plus taxes per day x 4 days = \$768.00
- Per Diem: \$64.00 x 5 days = \$320.00

Irwindale

Avenue

Suite 210

Irwindale

CWA Conference - San Diego, April 8-10, 2009

CWA's annual conference is a vitally important conference for workforce professionals. Not only are we provided the latest on the national and local scene for workforce development but we also can share best practices on a local level.

- Conference Registration Fee: \$450.00
- Lodging: \$159.00 x 2 nights = \$318.00

C.A. 91706



Phone:

626 966 3964

Fax:

626 962 8064

Total: \$4,288.00

www.laworks.org



If you need any additional information, please contact me at (626) 960-3984, ext. 2223. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Salvador R. Velasquez'.

Salvador R. Velasquez
Chief Executive Officer

Approved by: _____
Date: _____



ATTACHMENT B



Salvador R. Velazquez
Chief Executive Officer

May 9, 2008

VIA EMAIL
AND FIRST CLASS MAIL

Ms. Cynthia Banks, Director
Department of Community and Senior Services
Los Angeles County
3175 West Sixth Street
Los Angeles, CA 90020-1708

SUBJECT: Administrative Appeal of CSS Disallowance of
New Mexico College Prep Program WIA Costs

Dear Ms. Banks:

We are hereby appealing the April 28, 2008 action of CSS, via your Contracts Management Division Manager, purporting to disallow "further participation in the New Mexico College Prep Program" pending our submittal of additional information regarding the Program's procurement and allowability under WIA law and regulations. Pursuant to Section 8 of the RWG Agreement, to which the County of Los Angeles Board of Supervisors, the Los Angeles County WIB and this Agency are all signatories, this "disallowance" action by CSS "shall be deferred until completion of those [appeal] proceedings" (*see* RWG Agreement, Section 8). Therefore, absent final action by CSS following conclusion of these appeal proceedings, we consider the Program's costs to continue to be allowable, based on all applicable WIA requirements.

5200
Irwindale
Avenue
Suite 210
Irwindale
CA 91706

Our reasons for appealing this latest unwarranted punitive action by CSS include the following:

1. It violates the RWG Agreement requirement to provide "advance policy consultation" with this Agency regarding the "specific criteria, procedures and timing for sanctions" (*see* RWG Agreement Section 8);
2. This Agency has previously provided extensive and detailed justification to CSS for the allowability of all costs of the College Prep Program, including extensive documentation of compliance with all applicable Federal and State competitive procurement

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requirements, and CSS has never provided any justification for questioning our compliance;

3. Pursuant to the RWG Agreement, this Agency is not required to obtain CSS approval for subcontracts such as those which have long existed (i.e., before the 2006-07 Program Year as to which your staff seems so concerned) with reference to this Program, and your staff's attempt to add this burdensome and unnecessary requirement is unjustified; and
4. We have no evidence that EDD has in fact required more documentation from CSS than we have already provided with regard to this Program, excepting only your staff's statements to that effect; we hereby request documentation of those statements, prior to the first formal proceeding with regard to this matter before the administrative hearing officer.

It is distressing to be continually subject to harassing actions such as this by your staff, in direct violation of their obligations under the RWG Agreement. Therefore, in addition to pursuing this formal administrative appeal under the RWG Agreement, we are hereby requesting your personal intervention with your staff, to orient them to the RWG Agreement and require their compliance with it. We will cooperate with you in any actions toward that end.

Finally, we hereby appoint Willard V. Jones, Esq., as our representative for further proceedings in this matter, and request that a copy of all correspondence in response to this appeal be provided directly to him, at 12650 W. 64th Ave., Suite #E507, Arvada, CO 80004.

Sincerely,

A handwritten signature in black ink, appearing to read "Salvador R. Velasquez".

Salvador R. Velasquez
Chief Executive Officer

c: RWG Executive Directors
Ms. Josie Marquez, CSS
Ms. Carol Domingo, CSS

ATTACHMENT C



CYNTHIA D. BANKS
Director

COMMUNITY AND SENIOR SERVICES
OF LOS ANGELES COUNTY

3175 WEST SIXTH STREET • LOS ANGELES, CA 90020-1708 • (213) 738-2600 (213) 487-0379 FAX

"To Enrich Lives Through Effective And Caring Service"

BOARD OF SUPERVISORS

CLORIA MOLINA
MARK RIDLEY-THOMAS
ZEY YAROSLAVSKY
DON KNABE
MICHAEL D. ANTONOVICH

June 11, 2009

Sal Velasquez, Executive Director
L.A. Works WorkSource Center
5200 Irwindale Avenue, Suite 130
Irwindale, CA 91706

Dear Mr. Velasquez:

CONFIRMATION OF APPEAL HEARING

As you requested at our June 5, 2009 meeting regarding the disallowance of costs relating to your agency's New Mexico College Prep Program Expenditures, we have scheduled an Appeal Hearing as follows:

June 22, 2009 at 1:30 p.m.
Los Angeles County Community and Senior Services
3175 West Sixth Street
Los Angeles, CA 90020
3rd Floor WIA Conference Room (inside Suite 300)

Should you have any questions, please contact me at (213) 738-2273.

Sincerely,

A handwritten signature in cursive script, reading "Margaret Quinn" with "(sd)" below it.

Margaret Quinn, Assistant Director
Administrative Services Branch

MQ:mq



ATTACHMENT E



Salvador R. Velasquez
Chief Executive Officer

June 18, 2009

Ms. Nichole Develey
Bureau of Criminal Information and Analysis
Records Security Section
4949 Broadway, Room D232
Sacramento, CA 95820

RE: RESOLUTION

Dear Ms. Develey:

Attached is a Resolution by our Board of Directors authorizing our Chief Executive Officer or his designee to access state and federal level summary criminal history information on LA Works Staff members.

This is for employment purposes only.

If you have any questions, please contact Suzie Villanueva at (626) 960-3964, ext. 2223 or Shelly Laddusaw at ext. 2246.

Thank you.

Sincerely,

Salvador R. Velasquez
Chief Executive Officer

Attachment

3200

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CA 91706

Phone

626 960 3964

Fax

626 962 0064

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RESOLUTION # 108

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties and districts to access state and local summary criminal history information for employment, licensing or certification purposes; and

WHEREAS, Penal Code Section 11105(b)(11) authorizes cities, counties and districts to access federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be a requirement or exclusion from employment, licensing or certification based on specific criminal conduct on the part of the subject of the record; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require the city council, board of supervisors, or governing body of a city, county or district to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes.

NOW THEREFORE, BE IT RESOLVED, that LA Works is hereby authorized to access state and federal level summary criminal history information for employment (including volunteers and contract employees), licensing of LA Works Staff Members, or certification for LA Works Staff members and may not disseminate the information to a private entity; and

BE IT FURTHER RESOLVED, that LA Works shall not consider a person who has been convicted of a felony or misdemeanor involving moral turpitude eligible for employment (including volunteers and contract employees), or licensing; except that such conviction may be disregarded if it is determined that mitigating circumstances exist, or that the conviction is not related to the employment, volunteer or license in question.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE HUMAN SERVICES CONSORTIUM OF THE EAST SAN GABRIEL VALLEY (DBA LA WORKS) THAT:

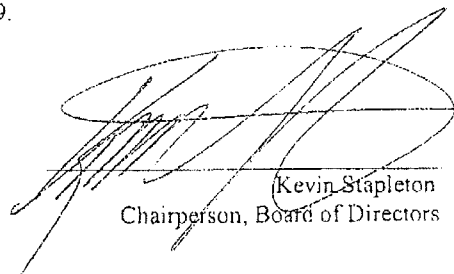
The Board of Directors hereby authorizes the Chief Executive Officer or designee to access state and federal level summary criminal history information on LA Works Staff Members.

The Board of Directors hereby authorizes the expenditure of funds as necessary to meet the terms and obligations of this requirement.

This Resolution to be in full force and effect from and after its passage and approval.

Passed and Approved this 17th day of June, 2009.

AYES: 6
NAYS: 0
ABSENT: 0



Kevin Stapleton
Chairperson, Board of Directors